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23 **UNITED STATES DISTRICT COURT**
24 **DISTRICT OF NEVADA**

25 U.S. EQUAL EMPLOYMENT
26 OPPORTUNITY COMMISSION,

27 Plaintiff,

28 vs.

WYNN LAS VEGAS, LLC,

Defendant.

) Case No: 2:17-cv-2405-APG-CWH
)
) **STIPULATION AND REQUEST TO**
) **RESCHEDULE THE EARLY NEUTRAL**
) **EVALUATION SESSION BEFORE**
) **MAGISTRATE JUDGE FERENBACH;**
) **ORDER**
) **(First Request)**

1 Plaintiff United States Equal Employment Opportunity Commission ("EEOC" of
2 Plaintiff) and Defendant Wynn Las Vegas, LLC ("Wynn" or Defendant), by and through their
3 undersigned counsel, stipulate to the following:

4 1. On September 14, 2017, the EEOC filed its Complaint against Defendant
5 alleging disability discrimination in violation of the American with Disabilities Act of 1990
6 ("ADA"), as amended by the ADA Amendment Act of 2008 ("ADAAA"). (ECF No. 1). On
7 November 3, 2017, Defendant Wynn filed its Answer to the Plaintiff's Complaint. (ECF No.
8 6).

9 2. On November 3, 2017, the Court notified the Parties that an Early Neutral
10 Evaluation Session has been scheduled for 10:00 a.m. on December 7, 2017. (ECF No. 8). The
11 Order requires the appearance of all lead trial counsel. (*Id.*).

12 3. Derek W. Li, lead counsel for Plaintiff EEOC, has a scheduling conflict on
13 December 7, 2017. He has a mandatory scheduling conference also scheduled for December 7,
14 2017 at 9:30 a.m. in the Eastern District of California in *EEOC v. Marquez Brothers, Inc., et al.*,
15 Case No. 1:17-cv-00044-AWI-EPG. The mandatory scheduling conference has already been
16 continued twice. Because the Parties' early meeting of counsel has revealed significant disputes
17 over discovery issues, EEOC's counsel believes that it would be necessary to make a personal
18 appearance at the mandatory scheduling conference addressing these discovery issues. Thus, the
19 EEOC requests to reschedule the Early Neutral Evaluation session to another date convenient to
20 the Court and the Parties.

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4. For the reasons stated, the Parties stipulate to an order continuing the Early Neutral Evaluation session from December 7, 2017 to a date convenient to the Court and the Parties. The Parties further request that the deadline to submit Confidential ENE Statements be correspondingly extended based upon the new date set for the Early Neutral Evaluation session. The Parties have conferred and the dates available to both parties for an Early Neutral Evaluation session in January 2018 are: January 22, 25, 26, 29; and February 1, 8, 9, 2018.

Dated: November 17, 2017

/s/ Derek W. Li

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Dated: November 17, 2017

/s/

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Attorneys for Defendant Wynn Las Vegas, LLC

ORDER

IT IS SO ORDERED.

Dated: 11-20-2017

HON. CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

IT IS HEREBY ORDERED that the Early Neutral Evaluation Session scheduled for December 7, 2017 is VACATED and RESCHEDULED to 10:00 AM, January 25, 2018. All else as stated in the Order (ECF No. 8) scheduling the ENE remains unchanged.

1 **CERTIFICATE OF SERVICE**

2 I am, and was at the time the herein mentioned delivery took place, a citizen of the
3 United States, over the age of eighteen (18) years.

4 I am employed in the Legal Unit of the Los Angeles District Office of the United States
5 Equal Employment Opportunity Commission.

6 My business address is U.S. Equal Employment Opportunity Commission, Los Angeles
7 District Office, 255 East Temple Street, 4th Floor, Los Angeles, California 90012.

8 On the date that this declaration was executed, as shown below, I served the following:

9 **1. STIPULATION AND REQUEST TO RESCHEDULE THE EARLY NEUTRAL**
10 **EVALUATION SESSION BEFORE MAGISTRATE JUDGE FERENBACH; ORDER;**
11 **CERTIFICATE OF SERVICE**

12 via the Court's CMECF electronic filing system and/or first class mail / email to Defendant's
13 counsel:

14 Scott M. Abbott
15 Kamer Zucker & Abbott
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17 Las Vegas, NV 89102
18 sabott@kzalaw.com

Jen Sarafina #9679
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19 I declare under penalty of perjury that the foregoing is true and correct. Executed on
20 November 17, 2017.

21 /s/ Derek Li
22 Derek Li
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